

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:22-cv-00235-MOC-WCM

ALBERT S.)
and S.S., *a minor*,)
by and through her parent, Albert S.)
)
Plaintiffs,)
v.)
)
BLUE CROSS AND BLUE SHIELD)
OF NORTH CAROLINA,)
NORTH CAROLINA BAR)
ASSOCIATION HEALTH)
BENEFIT TRUST,)
LAWYERS INSURANCE)
AGENCY, INC.)
)
Defendants.)
_____)

ORDER

This matter is before the Court *sua sponte* for case management purposes.

On November 4, 2022, “Albert S.” (“Plaintiff”), as the parent and legal guardian of minor S.S., filed a Complaint against Defendants to recover benefits under an employee welfare benefit plan. Doc. 1. Neither the Complaint nor the other filings in this matter provide Plaintiff’s full name.

The Federal Rules of Civil Procedure require that a civil complaint set forth the “name[s] [of] all the parties.” Fed. R. Civ. P. 10(a). However, the Fourth Circuit has recognized that “in exceptional circumstances, compelling

concerns relating to personal privacy or confidentiality may warrant some degree of anonymity in judicial proceedings, including use of a pseudonym.” Doe v. Public Citizen, 749 F.3d 246, 273 (4th Cir. 2014); see also John Doe v. Lees-McRae College, et al., No. 1:20-CV-00105-MR, 2021 WL 2673050, at *6 (W.D.N.C. June 29, 2021) (describing the analysis when a party seeks leave to proceed anonymously).¹

Accordingly, Plaintiff is **DIRECTED TO FILE**, on or before **January 10, 2023**, either: (1) a Notice setting forth the full name of “Albert S.” or (2) a Motion for Leave to Proceed Anonymously, with supporting brief, with respect to “Albert S.”

It is so ordered.

Signed: January 3, 2023



W. Carleton Metcalf
United States Magistrate Judge



¹ Additional information regarding Plaintiff’s identity will also assist the Court in determining whether any ethical conflicts exist.